



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shanta Modak et al.  
Serial No. : 09/771,121 Examiner : Kennedy, Sharon E.  
Filed : February 5, 2001 Group Art Unit : 3763  
For : TRICLOSAN AND SILVER COMPOUND CONTAINING MEDICAL  
DEVICES

12/24/03  
B. Webb

AMENDMENT

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
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December 8, 2003

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Attorney Name

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December 8, 2003

Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

This paper is being filed in response to a Notice of Non-Compliant Amendment dated October 6, 2003, regarding the Amendment filed in response to the Office Action dated February 24, 2003. Applicants enclose herewith a Petition for Extension of Time pursuant to 37 C.F.R. §1.136(a) for a period of one month up to and including Monday, December 8, 2003 and, by Deposit Account Authorization, the fee required under 37 C.F.R. §1.17(a)(1) for a small

entity. Applicants respectfully request reconsideration of the Amendment, which has been revised into compliant form herein.

In response to the Notice of Non-Compliant Amendment, Applicants have added, to the Claim Listing, indication that claims 1-21 and 30-38 have been cancelled. There is reference to the cancellation of a claim 39 in the Preliminary Amendment, but nothing in the record to indicate that a claim 39 was ever filed in this case. Therefore, no claim 39 is referred to in the Claim Listing.

In addition, it is noted that the Notice indicates that in addition to the failure to list all claims (which has been corrected), the Notice states that the listing does not include the text of all claims. Applicants cannot find the basis for error in this regard, as claims 21-29 are pending and the text of all these claims is present in the Claim Listing. Clarification is respectfully requested.